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AUG 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cherry

Serial No.: 10/701,336

Filed: November 4, 2003

For: Microwave Oven Cleaner

§ Group Art Unit: 3742

§ Examiner: Quang T. Van

§ Confirmation No.: 4922

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by the Examiner, namely, fax number 571.273.8300 to the attention of the named Examiner, on the date below.

08/18/2005
Date

John Paul F. Cherry
Signature

DECLARATION UNDER 37 C.F.R. § 1.131

I, the undersigned inventor, JOHN-PAUL F. CHERRY, hereby declare as follows:

- Attached is Exhibit A containing pages 1-4 of United States Provisional Application Serial No. 60/120,894 and page 5 of corresponding figures, dated prior to March 21, 2000, that was prior to filing the present application. All masked dates in Exhibit A are prior to March 21, 2000. Information not relevant to the invention date of the present application is also masked.
- Exhibit A describes apparatuses and processes for cleaning a microwave oven. The apparatuses and processes were conceived and reduced to practice prior to March 21, 2000.
- In view of Exhibit A and my statements herein, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was reduced to practice prior to March 21, 2000. Within the United States of America, I assembled the apparatuses and performed the cleaning processes, as described in Exhibit A, prior to March 21, 2000.

4. In view of Exhibit A, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was conceived prior to March 21, 2000, and filed with due diligence from prior to March 21, 2000, to filing of the present application on November 4, 2003, which is a continuation of United States Patent No. 6,656,288, filed August 7, 2001, which claims benefit of United States Provisional Application Serial No. 60/225,709, filed August 16, 2000.

5. Attached is Exhibit B containing pages 1-2 of a written description, dated prior to September 2, 1998, that was prior to filing the present invention. All masked dates in Exhibit B are prior to September 2, 1998. Information not relevant to the invention date of the present application is also masked.

6. Exhibit B describes apparatuses and processes for cleaning a microwave oven. The apparatuses and processes were conceived and reduced to practice prior to September 2, 1998.

7. In view of Exhibit B and my statements herein, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was reduced to practice prior to September 2, 1998. I assembled the apparatuses and performed the cleaning processes, as described in Exhibit B, within the United States of America and prior to September 2, 1998.

8. In view of Exhibit B, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was conceived prior to September 2, 1998, and filed with due diligence from prior to September 2, 1998, to filing of the present application on November 4, 2003, which is a continuation of United States Patent No. 6,656,288, filed August 7, 2001, which claims benefit of United States Provisional Application Serial No. 60/225,709, filed August 16, 2000.

9. In view of Exhibit B, the figures on page 5 of Exhibit A and my statements herein, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was reduced to practice prior to September 2, 1998. I assembled microwave-safe apparatuses that contained various cleaning solutions, wiping articles and enclosures. I mixed and used a variety of cleaning solutions that contained combinations of water, surfactant, emulsifiers, fragrances or antibacterial agents. I used sponges, paper towels, cloth towels or baby wipes as wiping articles while assembling the cleaning apparatuses. I used microwavable plastic containers, plastic wrap, Parafilm®, re-sealable plastic bags,

paperboard containers, ceramic containers or combinations thereof as enclosures while assembling the cleaning apparatuses. In one group of examples, I made sealed enclosures by closing opened-cell plastic containers with membranes, such as plastic wrap or Parafilm®. In some examples, an opened-cell plastic container had four sides, a bottom and an opened top and a membrane was wrapped around at least the opened top to form a sealed environment therein, similar to Figure 1. In some of the examples, I glued a membrane to the container to form sealed enclosures. In another group of examples, I formed sealed enclosures by closing a re-sealable plastic bag containing a wiping article and cleaning solution, similar to Figure 2. In another group of sealed enclosures, I used a membrane to cover a vent hole(s) on the containers. The containers contained sides, a bottom and a top, while the top contained a vent hole or multiple vent holes and the membrane was wrapped around at least the top including the vent hole(s) to form a sealed environment therein, similar to Figures 3 and 4. I often glued the membrane to the container. In some of the examples, sealed enclosures contained a wiping article on the bottom of the sealed enclosure (similar to Figure 3), on the top of the sealed enclosure (similar to Figure 4), or inside the sealed enclosure (similar to hybrid of Figures 2 and 3 or Figures 2 and 4). I assembled the apparatuses and performed the cleaning processes, as described herein, and in view of Exhibit B and the figures on page 5 of Exhibit A, within the United States of America and prior to September 2, 1998. Therefore, the apparatuses and processes were conceived and reduced to practice prior to September 2, 1998.

10. In view of Exhibit B, the figures on page 5 of Exhibit A and my statements herein, the invention of pending claims 1-3, 5-10, 12-19 and 21-71 was conceived prior to September 2, 1998, and filed with due diligence from prior to September 2, 1998, to filing of the present application on November 4, 2003, which is a continuation of United States Patent No. 6,656,288, filed August 7, 2001, which claims benefit of United States Provisional Application Serial No. 60/225,709, filed August 16, 2000.

Atty. Dkt. No. JPC001.C1

11. The undersigned, JOHN-PAUL F. CHERRY, hereby declares that all statements made herein of his own knowledge are true and that these statements made on information and belief are believed to be true and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

08/18/2005

Date

John-Paul F. Cherry

John-Paul F. Cherry